

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:15-CR-25-3H

No. 7:16-CV-366-H

ANTONIO GREEN,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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ORDER

This matter is before the court on petitioner's motion to vacate pursuant to 28 U.S.C. § 2255, [DE #195]. This matter was stayed pending the Fourth Circuit's resolution of United States v. Walker, 934 F.3d 375 (4th Cir. 2019), and United States v. Simms, 914 F.3d 229 (4th Cir. 2019). [DE #212]. In light of the Supreme Court's resolution of United States v. Davis, 139 S. Ct. 2319 (2019), and the Fourth Circuit's decision in United States v. Mathis, 932 F.3d 242 (4th Cir. 2019), the stay is hereby lifted.

The government is directed to file an Answer, pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate, within twenty-one (21) days of the filing

of this order. Petitioner shall then have twenty-one (21) days to file a response, if appropriate.

This 24th day of October 2019.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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